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Extract from Bombay Government Gazette, Part-V,

dated September 17, 1938, Pages No. 551 & 552.

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STATEMENT OF OBJECTS AND REASONS.

In and after the year 1930, landholders in several parts of the Province declined to pay aland revenue in pursuance of the Civil Disobedience Movement. As a result of such non-payment of land revenue, hundreds of acres of land of the then market value of several lakhs of rupees were forfeited to Government. These lands were subsequently disposed of by Government under the Land Revenue Code at prices which varied from 5 to 45 times the assessment.

2. After the present Government came into power, they announced their intention of restoring all these lands to their original holders. Both the Chambers of the Legislature approved of this policy of Government and passed the following resolution in September 1937 :-

" This Assembly / Council accepts the policy of repurchasing at the cost of Government lands and other immoveable properties forfeited and sold in consequence of the Civil Disobedience Movement with a view to their restoration to the original holders or their heirs free of occupancy price."

3. In order to give effect to the above policy of Government, which has also been approved by the Legislature, it is necessary to acquire these lands. The Bill seeks to carry out this object.

4. Most of these lands are at present subject to several disablities. Their holders have to suffer certain spcial and other inconveniences, with the result that no persons are coming forward to purchase them. They cannot therefore be sold in the open market and there is also the difficulty of cultivating them regularly, with the result that there is no steady or regular income from these lands. Some of the lands have also been disposed of on new tenure and are consequently neither partible nor alienable. In some cases they were bought by Government servants after the rule debarring Government servants from purchasing immoveable properties had been

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relaxed in their favour. The persons who bought these lands after their forfeiture were not buyers in the open market and in almost all cases paid prices which were considerably lower than the then market value of the lands They had full knowledge of the disabilities which would attach to the use and ownership of these lands, but nevertheless bought the lands with a view to make a speculative gain after the disabilities attached to them had ceased. These disabilities, however, still continue and will continue until the lands are restored to their original holders. In view of these considerations, it will neither be equitable nor practicable to assess or to award compensation for these lands on the basis of the market value of similar lands free from disabilities such as are mentioned above. The Bill therefore lays down principles for the determination of compensation for these lands which, in the opinion of Government, are equitable and just having regard to the peculiar circumstances of the case.

(Signed) MORARJI DESAI.

16th September 1938.

By order of the Governor of Bombay,

J. R. DHURANDHAR,

Secretary to the Government of Bombay,
Legal Department.

Poona, 16th September 1938.

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पुराभिलेख विभाग, महाराष्ट्र राज्य,
मुंबई.
अर्ज पोहोचल्याची तारीख 28.11.02
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